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EXHIBIT

1

CALIFORNIA
DEPT. OF CALIFORNIA HIGHWAY PATROL
VEHICLE REPORT
CHP 180 (Rev. 2-99) OPI 081

NOTE: CHP 180 IS FURNISHED TO ALL PEACE
OFFICERS BY THE CALIFORNIA HIGHWAY PATROL

REPORTING DEPARTMENT 5050-B3		LOCATION CODE 2600	DATE / TIME OF REPORT 070403 16340	NOTICE OF STORED VEHICLE DELIVERED PERSONALLY <input type="checkbox"/>	FILE NO. 030303226
LOCATION TOWED / STOLEN FROM LINE 55 S of Arrow Pk for		ODOMETER READING	VIN CLEAR IN SVS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	DATE / TIME DISPATCH NOTIFIED 070403 10340	LOG NO.
YEAR 81	MAKE Ford	MODEL Probe	BODY TYPE PLU	COLOR BLK	LICENSE NO. 3K19633
VEHICLE IDENTIFICATION NO. 1FTRC111TXHUB25920		ENGINE NO.	VALUATION BY <input checked="" type="checkbox"/> OFFICER <input type="checkbox"/> OWNER	MONTH / YEAR 08/03	STATE CA
REGISTERED OWNER RUBEN RIVERA HERNANDEZ			LEGAL OWNER		
ADDRESS 186 W Hawthorne St			CITY Bloomington CA 92316		

<input type="checkbox"/> STORED	<input checked="" type="checkbox"/> IMPOUNDED	<input type="checkbox"/> RELEASED	<input type="checkbox"/> RECOVERED - VEHICLE / COMPONENT
TOWING / STORAGE CONCERN (NAME, ADDRESS, PHONE) PAULOS LOW 3753 PLACENTIA AVE PLACENTIA		STORAGE AUTHORITY / REASON VC 22655.5 - CRIME INV.	
TOWED TO / STORED AT 909 787 0393		AIRBAG? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	DRIVEABLE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
CONDITION		YES	NO
WRECKED	SEAT (FRONT)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
BURNED HULK per 431(c) VC	SEAT (REAR)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
VANDALIZED	RADIO	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
ENG. / TRANS. STRIP	TAPE DECK	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
MISC. PARTS STRIP	TAPES	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
BODY METAL STRIP	OTHER RADIO	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
SURGICAL STRIP per 431(b) VC	IGNITION KEY	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
RELEASE VEHICLE TO: <input type="checkbox"/> R/O OR AGENT <input checked="" type="checkbox"/> AGENCY HOLD <input type="checkbox"/> 22650.3 VC		GARAGE RECEIPT / AGENT STORING VEHICLE (SIGNATURE) [Signature]	
NAME OF PERSON / AGENCY AUTHORIZING RELEASE		ID. NO.	DATE
SIGNATURE OF PERSON AUTHORIZING RELEASE		SIGNATURE OF PERSON TAKING POSSESSION	

<input type="checkbox"/> STOLEN VEHICLE / COMPONENT	<input type="checkbox"/> EMBEZZLED VEHICLE	<input type="checkbox"/> PLATE(S) REPORT
DATE / TIME OF OCCURRENCE	DATE / TIME REPORTED	NAME OF REPORTING PARTY (R/P)
LAST DRIVER OF VEHICLE	DATE / TIME	ADDRESS OF R/P
I CERTIFY OR DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING IS TRUE AND CORRECT.		SIGNATURE OF PERSON MAKING REPORT

REMARKS [LIST PROPERTY, TOOLS, VEHICLE DAMAGE, ARRESTS]			
DRIVER'S NAME	ARRESTED / SECTION? <input type="checkbox"/> YES <input type="checkbox"/> NO	REPORTED BY	CARGO / TYPE? <input type="checkbox"/> YES <input type="checkbox"/> NO
VALUE \$		BILL OF LADING ATTACHED	

TAKEN FOR EVIDENCE REF P.C. 261 IN INVESTIGATION.

FRONT	LEFT SIDE	RIGHT SIDE	REAR	TOP
SIGNATURE OF OFFICER MAKING REPORT [Signature]		ID. NO. 14336	SUPERVISOR [Signature]	REQUIRED NOTICES SENT TO REGISTERED AND LEGAL OWNERS PER 22652 VC? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
DATE NOTIFIED 7409				

15-10602 Rev. 082 (C71)		1. CODE SECTION <input checked="" type="checkbox"/> F P. C. 261 <input type="checkbox"/> M P. C. 289 <input type="checkbox"/> Other		2. CRIME DEFINITION RAPE, PENETRATION WITH A FOREIGN OBJECT		3. CASE NUMBER-STATION 030303226	
SHERIFF'S DEPARTMENT COUNTY OF SAN BERNARDINO, CA UNIFORM CRIME REPORT 980000		4. ASSIGNED MO-DAY-YEAR TIME 07/04/2003 02:47		5. ARRIVED MO-DAY-YEAR TIME 07/04/2003 02:52		6. BEAT 01	
7. REPORT DIST. FN203		8. OCCURRED DAY-OF-WEEK/MO-DAY-YEAR/TIME FRI 07/04/2003 02:20 FRI 07/04/2003 02:45		9. REPORTED MO-DAY-YEAR TIME 07/04/2003 02:46		10. LOCATION OF OCCURRENCE CITY 8635 LIME, FONTANA	
CODES FOR BOXES 12 & 22 ARE: V = VICTIM W = WITNESS RP = REPORTING PARTY DC = DISCOVERED CRIME IP = INVOLVED PARTY							
11. NAME: LAST, FIRST MIDDLE (FIRM NAME IF A BUSINESS) CONFIDENTIAL		12. <input checked="" type="checkbox"/> V		13. RESIDENCE ADDRESS-STREET-CITY-ZIP		14. RESIDENCE PHONE	
15. OCCUPATION		16. RACE/SEX		17. AGE		18. DOB M-D-YR	
21. NAME: LAST, FIRST, MIDDLE (FIRM NAME IF BUSINESS)		22. <input checked="" type="checkbox"/> RP		23. RESIDENCE ADDRESS-STREET-CITY-ZIP		24. RESIDENCE PHONE	
25. OCCUPATION SECURITY GAURD		26. RACE/SEX W/M		27. AGE 20		28. DOB M-D-YR 11/16/1982	
29. BUSINESS ADDRESS-STREET-CITY-ZIP SAN BERNARDINO, CA		30. BUSINESS PHONE		31. SUSPECT NO. 1 LAST, FIRST MIDDLE RIVERA, RIGOBERTO HERNANDEZ		32. RACE/SEX H/M	
33. AGE 33		34. HEIGHT 5'06"		35. WEIGHT 160		36. HAIR BLK	
37. EYES BRO		38. DOB M-D-Y 06/18/1970		39. ARRESTED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		40. INTERVIEWED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
41. RESIDENCE ADDRESS-STREET-CITY-ZIP 17856 GROVE PLACE, BLOOMINGTON, CA 92316		42. CLOTHING AND OTHER IDENTIFYING MARKS/CHARACTERISTICS A.K.A. ALBERTO CAMPOS 050170		43. SUSPECT NO. 2 LAST, FIRST MIDDLE		44. RACE/SEX	
45. AGE		46. HEIGHT		47. WEIGHT		48. HAIR	
49. EYES		50. DOB M-D-Y		51. ARRESTED <input type="checkbox"/> YES <input type="checkbox"/> NO		52. INTERVIEWED <input type="checkbox"/> YES <input type="checkbox"/> NO	
53. RESIDENCE ADDRESS-STREET-CITY-ZIP		54. CLOTHING AND OTHER IDENTIFYING MARKS/CHARACTERISTICS		55. CHECK MORE NAMES IN CONTINUATION <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		56. ADDITIONAL INFORMATION <input type="checkbox"/> VICTIM <input type="checkbox"/> WITNESS <input type="checkbox"/> OFFICER <input type="checkbox"/> OTHER	
57. PHYSICAL EVIDENCE RECOVERED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		58. PHOTOGRAPHS TAKEN <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		59. LATENT PRINTS LIFTED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		60. DAMAGE/PROPERTY ACCESSORIES	
61. VEHICLE BLACK		62. YR. 1987		63. MAKE FORD		64. MODEL P/U	
65. BODY TYPE P/U		66. LICENSE 3K19633		67. STATE CA		68. DAMAGE/PROPERTY ACCESSORIES	
69. ROBBERY WEAPON: <input type="checkbox"/> FIREARM <input type="checkbox"/> OTHER DANGEROUS WEAPON <input type="checkbox"/> CUTTING INSTRUMENT <input type="checkbox"/> STRONG ARM		LOCATION: <input type="checkbox"/> HIGHWAY <input type="checkbox"/> OTHER BUSINESS <input type="checkbox"/> CONVENIENCE STORE <input type="checkbox"/> RESIDENCE		<input type="checkbox"/> SERV. STATION <input type="checkbox"/> BANK <input type="checkbox"/> MISC.		70. ASSAULTS WEAPON: <input type="checkbox"/> FIREARM <input type="checkbox"/> KNIFE/CUTTING INSTRUMENT <input type="checkbox"/> OTHER DANGEROUS WEAPON	
71. BURGLARY <input type="checkbox"/> NIGHT <input type="checkbox"/> DAY <input type="checkbox"/> UNKNOWN		<input type="checkbox"/> FORCIBLE ENTRY <input type="checkbox"/> ATTEMPT BY FORCE		<input type="checkbox"/> ENTRY-NO FORCE		<input type="checkbox"/> RESIDENCE <input type="checkbox"/> VEHICLE <input type="checkbox"/> NON-RESIDENCE (BUILDING)	
72. LARCENY <input type="checkbox"/> PICKPOCKET <input type="checkbox"/> SHOPLIFT <input type="checkbox"/> PURSE-SNATCH <input type="checkbox"/> FROM MOTOR VEHICLE		<input type="checkbox"/> MOTOR VEHICLE PARTS <input type="checkbox"/> BICYCLES		<input type="checkbox"/> FROM BLDG: NOT SHOPLIFT OR MACHINES <input type="checkbox"/> FROM COIN-OPERATED MACHINES		<input type="checkbox"/> ALL OTHERS	
73. PROPERTY TYPES: CURRENCY, NOTES \$ & JEWELRY \$ VALUES: CLOTHING, FURS \$ OFFICE EQUIPMENT \$		STOLEN TV, STEREO, ETC. \$ FIREARMS \$ HOUSEHOLD GOODS \$		STOLEN CONSUMABLE GOODS \$ LIVESTOCK \$ OTHER MISC. \$		STOLEN TOTAL \$	
74. DOMESTIC VIOLENCE INJURIES <input type="checkbox"/> NONE <input type="checkbox"/> MINOR <input type="checkbox"/> MAJOR		WEAPONS: <input type="checkbox"/> YES <input type="checkbox"/> NO		75. PEACE OFFICER ASSAULTED/ARSON <input type="checkbox"/> YES IF YES, COMPLETE BOXES 1, 2, 3, 4, AND 34 OR 35 ON CR-4 FORM.		76. SYNOPSIS	
<p>The suspect was supposed to give the victim a ride to the store. He passed the store and took her to a dark secluded street. Feeling something was wrong, the victim got out of the truck and ran. The suspect caught up to her and told her to do what he said because he has a loaded .38 caliber gun in the truck. He then took off the victims pants and underwear before sticking his fingers into the victims vagina. The suspect then put his erect penis into the victims vagina as he forced his fingers into the victims anus. The suspect moved his penis back and forth in the victims vagina until he ejaculated. The suspect was caught when the victim was able to flag down an armed security guard. The suspect was not wearing a shirt, his belt was undone and his zipper was down at the time of his capture. The suspect denies having sex with the victim and stated he does not know her. The victims underwear were found in the suspects truck.</p>							
77. REPORTING OFFICER J. LISNER		78. EMP. # L2115		79. DATE 07/04/2003		80. REVIEWED BY [Signature]	
81. ROUTED TO SUBMIT TO D/A IMMEDIATE FOLLOW UP		82. REPORTING OFFICER IS 115 QUALIFIED		83. YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		84. OTHER	

CASE NO.

DR-030303226

REPORT AREA

SHERIFF'S DEPARTMENT
COUNTY OF SAN BERNARDINO
CALIFORNIA
CA 03600

Page:1

CONF SECTION

PC 261/289

CRIME

RAPE; PENETRATION W/FOREGIN

CLASSIFICATION

VICTIM'S NAME - LAST NAME

FIRST NAME

MIDDLE NAME

(FIRM NAME IF BUSINESS)

CONFIDENTIAL

ADDRESS

RESIDENCE

PHONE

ASSIGNMENT/ARRIVAL:

On 7-4-03 at about 0247 hours, I was dispatched to 15755 Arrow Rt., Fontana, reference a male and a female there. The female was screaming that the male attempted to rape her, and the male had a gun in the vehicle with him and was being uncooperative with the R/P, who is a security guard. I arrived at about 0252 hours and did not see the subjects in question. However, I remembered from past experiences that IPS Security checks the 15755 Arrow Rt. location and frequently drives south on Lime St. from Arrow in order to check the rear of the location. I drove to Lime St. and went southbound from Arrow. Once I turned south onto Lime St., I noticed an IPS security vehicle stopped in the middle of the street near 8635 Lime. There was also a black truck parked in front of that address. As I got closer to the vehicles, I noticed the IPS security guard standing near his driver's door, a female standing near the passenger's side of the security guard's vehicle, and the suspect sitting on the ground, handcuffed behind his back. I noticed the suspect did not have a shirt on, his belt was undone, and his zipper was down.

CONTACT WITH VICTIM:

As I approached the R/P, I noticed that the victim was crying. I asked her to tell me what was going on. She told me the suspect had raped her, and she pointed toward RIGOBERTO RIVERA, who was the subject sitting down and handcuffed. I asked the victim to explain a little better what had happened. She said the suspect offered to give her a ride to the store so she could use the payphone. Instead, he drove to the dark street and raped her. She said she tried to get away, but the suspect caught up to her and told her he had a loaded .38 in the car. At this point, the victim was very upset and having trouble speaking so I decided to wait awhile and re-interview her after she had a chance to calm down.

INTERVIEW, R/P SCOTT, GEORGE:

██████ is a security guard for the IPS security company. Part of his duties are to check the 15755 Arrow Rt. location. He said he was going to check the back of the location and drove south on Lime, when he saw the victim run from the passenger's side of the suspect's vehicle into the street. The victim waved her hands as she did this. ██████ said he stopped his vehicle in the street. The victim attempted to get in his back seat and said, "HE RAPED ME AND HE HAS A LOADED .38 IN THE TRUCK." ██████ stated the suspect was near the passenger's side of the suspect's vehicle at this point, with his hands in his lap. ██████ told the suspect to show him his hands, but the suspect refused. ██████ told the suspect several more times to show him his hands, but the suspect still refused. Finally, ██████ put his hand on his hand on his own handgun and repeated his command for the suspect to show him his hands. The suspect then complied. ██████ ordered the suspect out, away from the truck and into the street where he had the suspect drop down to his knees. The suspect complied. ██████ handcuffed him and waited for deputies to arrive.

SUSPECT INTERVIEW, RIVERA, RIGOBERTO:

I read RIVERA his rights per my department-issued Miranda warning card. To question #1 he replied, "YES, I DO." To question #2 he replied, "YEAH, I WANT TO TALK ABOUT WHAT HAPPENED." I then asked the suspect to tell me his version of the events. He said he drove his truck to the location because he works there and he did not want people to

REPORTING OFFICER
DEP. J. LISNER (2115)DATE
7-7-03

REVIEWED BY

TYPED BY
JEAN PERRY

WRITTEN BY

DATE

FURTHER ACTION:

☐ YES ☐ NO

COPIES TO:

☐ Detective☐ Dist. Atty.☐ Other☐ CI☐ Patrol☐ SO/PO☐ Other

REMARKS

15-15184-401 Rev. 1/83

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SHERIFF'S DEPARTMENT
COUNTY OF SAN BERNARDINO
CALIFORNIA
CA 03600

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CASE NO.

DR 030303226

REPORT AREA

CONF. SECTION

PC 261/286

CRIME

RAPE; PENETRATION W/FOREGIN

CLASSIFICATION

VICTIM'S NAME - LAST NAME

FIRST NAME

MIDDLE NAME

(FIRM NAME IF BUSINESS)

CONFIDENTIAL

ADDRESS

RESIDENCE

PHONE

put graffiti on the walls. He decided to sleep in his truck and was there for about ten minutes, when he saw the victim walking south on Lime from Arrow. He said the victim approached his vehicle and asked for a ride. RIVERA said he asked her where she wanted to go, and she said she needed to go to Valley Bl. and Cherry Ave. RIVERA told her, "NO." The security guard then pulled up in his vehicle. The victim ran into the street, toward a security guard, yelling something about a loaded .38. The next thing he knew, the security guard told him to get out of his truck and the security guard put handcuffs on him.

I asked RIVERA which side of the vehicle the victim walked up to, and he said it was the passenger's side. I asked him if he knew the victim, and he said he did not. I asked him if he had sexual intercourse with the victim, and he stated that he has never had sexual intercourse with the victim. I asked RIVERA if anything in his vehicle belonged to the victim, and he said nothing did. I asked him if the victim had ever been inside his vehicle, and after a long pause he stated the victim sat in the passenger's side of his truck when she asked for a ride.

I asked RIVERA if the victim had just come to the passenger's door, or if she had actually sat inside the truck. He said she originally came to the passenger's side of the truck when she asked him for a ride. He said he first told her he would give her a ride, and so she got into the passenger's seat. He asked her where she wanted to go and when she told him Valley and Cherry, he told her he would not give her a ride.

I asked RIVERA if he had anything to add to his statement, and he said he did not. I explained to him that he was being accused of rape and that was also being accused of having a loaded .38 handgun in the vehicle. He told me there was no handgun in his vehicle and that I could search his truck.

ADDITIONAL INFORMATION:

On searching the suspect's truck, I found a pair of green female underwear on the passenger's side floorboard. I brought the victim to the passenger's side of the vehicle and pointed to the underwear that I saw on the floor. I asked her if she knew who the underwear belonged to, and she stated they were hers. I then put the underwear in a brown paper bag to take to the SART nurse during the examination.

PHOTOS:

Dep. MIKE MARTINEZ took several photos of the victim, suspect, and suspect's vehicle. He gave me the film to be sent to the Crime Lab.

EXAMINATIONS:

I took the victim to Kaiser Hospital for a SART nurse to conduct a sex kit on her. Dep. MIKE MARTINEZ took the suspect to Fontana Station for a separate SART nurse to conduct an examination on him.

REPORTING OFFICER

DEP. J. LISNER L2115

DATE

7-7-03

REVIEWED BY

TYPED BY

JEAN PERRY

REVIEWED BY

DATE

FURTHER ACTION:

☐ YES☐ NO

COPIES TO:

☐ Detective☐ Dist. Atty.☐ Other☐ CII☐ Patrol☐ SD/PPD☐ Other

REMARKS

15-15184-401 Rev. 1/83

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SHERIFF'S DEPARTMENT
COUNTY OF SAN BERNARDINO
CALIFORNIA
CA 03600

CASE NO.

DR 030303226

REPORT AREA

Page 3

CONF SECTION

PC 261/289

CRIME

RAPE; PENETRATION W/FOREIGN

CLASSIFICATION

VICTIM'S NAME - LAST NAME

FIRST NAME

MIDDLE NAME

(FIRM NAME IF BUSINESS)

CONFIDENTIAL

ADDRESS

RESIDENCE

PHONE

VICTIM INTERVIEW:

V1 told me she and her husband had been arguing over the past few days. She decided to leave him and go back to Missouri with other family members. On her way to Missouri she stopped in Fontana to visit some old friends before she left. One of her friends lives in a trailer behind the Noa Noa bar on the southwest corner of Valley and Banana, Fontana. While at her friend's house, V1 was talking to her friend about relations with her husband and she decided to call her husband and go home.

V1 went to the payphone at Cherry and Valley to call her husband. Her husband, who was in Trona, told her he would take a shower and then drive to Fontana to pick her up, but that would take a couple of hours. In the meantime, the victim returned to her friend's residence where she, her friend and her friend's girlfriend continued to drink alcohol.

V1 began arguing with her friends, and decided to wait in the parking lot for her husband to pick her up. While waiting there, she set her belongings down in the parking lot of the Noa Noa bar. She then decided to walk to Cherry and Valley to call her husband to see if he had left their residence yet. As she started to walk through the parking lot, she noticed the suspect parked near the Noa Noa bar. The suspect began making small talk with V1 and during their short conversation, the suspect asked what she was doing. She told him she was going to walk to the store at Cherry and Valley to call her husband. The suspect offered the victim a ride to the corner and she accepted.

The suspect drove V1 past the store at Cherry and Valley. When she told him he had passed the store, he began to "act stupid." He began acting like he did not speak English, when he had been speaking English to her during the entire conversation. The suspect drove to 8635 Lime and parked on the side of the road in front of the business. V1 said she could tell something was wrong, and she became scared. She got out of the truck and ran north on Lime, while screaming for help.

V1 told me she tripped and fell to the ground, landing on her hands and knees. The suspect was able to catch up to her. He picked her up with one hand on the back of her neck and his other hand on her left elbow. The suspect walked her back to his truck and as they walked he said, "YOU HAVE THREE CHOICES. YOU'RE GOING TO BE QUIET, YOU'RE NOT GOING TO CAUSE A SCENE, YOU'RE GOING TO DO WHAT I TELL YOU. I HAVE A LOADED .38 BEHIND THE SEAT OF MY TRUCK, AND DON'T THINK ABOUT GRABBING IT." She said she does not remember the other two choices.

V1 remembered asking the suspect if he was going to kill her. He said, "I'M NOT GOING TO KILL YOU BUT YOU'RE GOING TO DO WHAT I WANT." She said she was afraid and believed he was going to kill her. V1 cooperated with the suspect, hoping he would keep his word and not kill her. At this point, both the victim and the suspect were standing by the passenger's side of the suspect's truck and the passenger's door was open. The suspect told her to get into the truck, and she did.

The suspect pulled down V1's pants all the way off and threw them somewhere. He then pulled her underwear off with both hands and also threw them in an unknown location. The suspect then told V1 to turn around and get on her hands

REPORTING OFFICER
DEP. J. LISNER L2115DATE
7-7-03REVIEWED BY
[Signature]TYPED BY
JEAN PERRY

ROUTED BY

DATE

FURTHER ACTION:

☐ YES ☐ NO

COPIES TO:

☐ Other☒ SD/PP☐ Detective☐ CII☐ Other☐ Dist. Atty.☐ Patrol

REMARKS

15-15134-401 Rev. 1/83

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SHERIFF'S DEPARTMENT
COUNTY OF SAN BERNARDINO
CALIFORNIA
CA 03600

Page 4

CASE NO.

DR 030303226

REPORT AREA

CONFIDENTIAL

PC 261/289

CRIME

RAPE; PENETRATION W/FOREIGN

CLASSIFICATION

VICTIM'S NAME - LAST NAME

FIRST NAME

MIDDLE NAME

(FIRM NAME IF BUSINESS)

CONFIDENTIAL

ADDRESS

RESIDENCE

PHONE

and knees. V1 turned, putting her hands on the driver's seat with her knees in the center of the vehicle or possibly on the edge of the passenger's seat. The suspect then got in behind her. The suspect used both hands to pull the victim's vagina apart. She said he was pulling her vagina in different directions as if he was trying to tear it. V1 then felt some of the suspect's fingers penetrate into her vagina. After doing this for a short time, the suspect put his erect penis into her vagina.

I asked V1 how she knew it was the suspect's penis, and she stated she did not look at him the entire time she was on her hands and knees but she has had sex in the past and knows what a penis feels like. I asked her if the suspect's penis was erect, and she said it was. V1 told me the suspect began moving his penis back and forth in her vagina. At the same time, the suspect had taken his fingers from her vagina and began forcing them into her anus. She told me that at one point, the suspect pulled her hair. The suspect then ejaculated in the victim's vagina. I asked her how she knew that he had ejaculated, and she said she was able to feel his ejaculation and knows what it feels like when someone ejaculates inside her. V1 said the suspect then pulled his penis out of her and they both got out of the truck.

Once outside, the victim noticed her pants in the bed of the truck. She picked them up and put them on. She then noticed her shoes on the ground outside the truck, and she put those on also. The suspect then yelled at her, stating that she was a prostitute and that she had four kids. V1 explained to him that she only had one child, and she was not a prostitute. The suspect continued yelling at her and insulting her. V1 said she was still scared, thinking the suspect might try to kill her, when she saw the R/P's vehicle driving down Lime. She ran down the street to stop the vehicle and stated she got all the way to the vehicle before she realized it was a security guard. The R/P then detained the suspect.

I asked the victim if she understood the following terms: penis, erection, ejaculation, vagina, anus, and sex. She said she understood all of them.

ADDITIONAL INFORMATION:

After V1 had been examined by the SART nurse, I asked the SART nurse, MEL DEL DEGAN, if the victim's injuries were consistent with her story. The SART nurse told me that they were.

BOOKING:

Dep. N. RODRIGUEZ transported RIVERA to West Valley Detention Center where he was booked on the above charges. After he left the station with the suspect, I realized I forgot to give him the suspect's wallet and cell phone. I took the wallet, cell phone, and \$35 he had in his wallet and placed them into safekeeping at Fontana Station.

EVIDENCE:

Both sex kits and the victim's and suspect's clothing were placed into evidence; see CR3. Dep. MARTINEZ took the evidence packaged by the SART nurse who performed the examination on the suspect and booked it into evidence, while I took the evidence packaged by the SART nurse who examined the victim and placed that into evidence.

REPORTING OFFICER
DEP. J. LISNER 12115DATE
7-7-03

REVIEWED BY

TYPED BY
JEAN PERRY

ROUTED BY

DATE

FURTHER ACTION:

☐ YES☐ NO

COPIES TO:

☐ Other☐ SD/PD☐ Detective☐ CII☐ Other☐ Dist. Atty.☐ Patrol

REMARKS

15-15184-401 Rev. 1/83

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SHERIFF'S DEPARTMENT
COUNTY OF SAN BERNARDINO
CALIFORNIA
CA 03600

Page 5

CASE NO.

DR 030303226

REPORT AREA

CONFESATION

PC 261/289

CRIME

RAPE; PENETRATION W/FOREGIN

CLASSIFICATION

VICTIM'S NAME - LAST NAME

FIRST NAME

MIDDLE NAME

(FIRM NAME IF BUSINESS)

CONFIDENTIAL

ADDRESS

RESIDENCE

PHONE

DISPOSITION:

Forward to District Attorney.

REPORTING OFFICER
DEP. J. LISNER L2115DATE
7-7-03

REVIEWED BY

TYPED BY
JEAN PERRY

REMITTED BY

DATE

FURTHER ACTION:

☐ YES ☐ NO

COPIES TO:

☐ Other☐ SD/PO☐ Detective☐ CII☐ Other☐ Dist. Atty.☐ Patrol

REMARKS

15-15184-401 Rev. 1/83

7

EXHIBIT

2

10 of 12 DOCUMENTS

*** THIS DATA IS FOR INFORMATION PURPOSES ONLY ***

PROPERTY RECORD FOR RIVERSIDE COUNTY, CA

ESTIMATED ROLL CERTIFICATION DATE JULY 1, 2007

Owner: RIVERA RIGOBERTO H (Single or Unmarried Man); Owner Occupied

Mailing Address: 2195 MARIGOLD WAY, HEMET, CA 92545

Property Address: 2195 MARIGOLD WAY, HEMET, CA 92545

***** SALES INFORMATION *****

Recorded Date: 10/2006

Sale Price: \$ 310,000 (Sales Price Computed From Transfer Tax. No Indication Whether Tax Was Paid On Full Or Partial Consideration.)

Document Number: 2006-0795035

***** ASSESSMENT INFORMATION *****

Assessor's Parcel Number: 444-321-020

Legal Description: LOT: 20; CITY: HEMET

Brief Description: LOT 20 MB 096/011 TR 10175

Land Use: SINGLE FAMILY RESIDENCES

Assessment Year: 2007

Assessed Land Value: \$ 50,000

Assessed Improvement Value: \$ 260,000

Total Assessed Value: \$ 310,000

***** TAX INFORMATION *****

Tax Rate Code: 6-019

***** PROPERTY CHARACTERISTICS *****

Year Built:	1979	No. of Buildings:	
Stories:	1	Style:	
Units:	1	Air Conditioning:	Central
Bedrooms:	3	Heating:	Central
Baths:	1.00	Construction:	
Partial Baths:	1	Basement:	

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RIVERSIDE COUNTY, CA 2195 MARIGOLD WAY, HEMET, CA 92545

Total Rooms:		Exterior Walls:	
Fireplace:	Yes	Foundation:	
Garage Type:	Attached	Roof:	Wood Shake/Shingles
Garage Size:	2 Car(s)	Elevator:	
Pool/Spa:		Lot Size:	7405 SF
		Building Area:	1220

TAPE PRODUCED BY COUNTY: 8/2007

9 of 12 DOCUMENTS

*** THIS DATA IS FOR INFORMATION PURPOSES ONLY ***

PROPERTY TRANSFER RECORD FOR RIVERSIDE COUNTY, CA

Buyer: RIVERA, RIGOBERTO H (Single or Unmarried Man)

Buyer Mailing Address: 2195 MARIGOLD WAY, HEMET, CA 92545

Seller: MARIN, IVAN G (Single or Unmarried Man)

Property Address: 2195 MARIGOLD WAY, HEMET, CA 92545

***** **SALES INFORMATION** *****

Sale Date: 10/25/2006

Recorded Date: 10/30/2006

Sale Price: \$ 310,000 (Sales Price Computed From Transfer Tax. No Indication Whether Tax Was Paid On Full Or Partial Consideration.)

County Transfer Tax: \$ 341.00

Document Number: 2006-0795035

Deed Type: GRANT DEED

Assessor's Parcel Number: 441-341-020

Legal Description: LOT: 20; CITY: HEMET; TRACT NUMBER: 10175; RECORDER'S MAP REFERENCE: MP96 PG11&12

***** **MORTGAGE INFORMATION** *****

Lender: DB HOME LENDING LLC

Type of Mortgage: NEW CONVENTIONAL LOAN; ADJUSTABLE RATE

Loan Amount: \$ 248,000

Rate: 6.90 %

Term: 11/1/2036

Title Company: SECURITY UNION TITLE

***** **PROPERTY DESCRIPTION** *****

Land Use: SINGLE FAMILY RESIDENTIAL

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8 of 12 DOCUMENTS

*** THIS DATA IS FOR INFORMATIONAL PURPOSES ONLY ***

MORTGAGE RECORD FOR RIVERSIDE COUNTY, CA

Borrower(s): RIVERA, RIGOBERTO H (Single or Unmarried Man)

Property Address: 2195 MARIGOLD WAY, HEMET, CA 92545

***** **RECORDER'S INFORMATION** *****

Recording Date: 10/30/2006

Document Number: 2006-0795037

Assessor's Parcel Number: 441-341-020

Legal Description: LOT: 20; CITY: HEMET; TRACT: 10175

***** **MORTGAGE INFORMATION** *****

Mortgage Type: NON-PURCHASE MONEY

Lender: DB HOME LENDING LLC

Lender Type: LENDING INSTITUTION

Loan Amount: \$ 62,000

Loan Type: STAND ALONE SECOND

Due Date: 11/1/2021

***** **RIDER INFORMATION** *****

BALLOON RIDER: ATTACHED

PREPAYMENT RIDER: ATTACHED

***** **GEOGRAPHICAL INFORMATION** *****

MSA: Los Angeles-Riverside-Orange County, CA CMSA (49)

Riverside-San Bernardino, CA PMSA (6780)

Riverside County, California (FIPS=06065)

(49678006065)

//

EXHIBIT

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REPORT FORM

Probation Officer 225

A#

Client#

223009

COMPLETE AND MAIL BY THE 10th OF EACH MONTH
Failure to report will be considered a "Violation of Probation"

MAIL TO: Riverside County Probation Department
 Hemet Office
 1330 S. State Street, Suite A
 San Jacinto, CA 92583

2008 JAN -9 AM 8: 02

RIVERSIDE COUNTY
 SAN JACINTO PROBATION

NAME: Rigoberto Hernandez RiveraDOB: 6-18-70 SS #: _____Address: 2195 MARIGOLD WAY Hemet

Apt/Space # _____

City HemetState CaliforniaZip 92545Mailing Address Same

City _____

State _____

Zip _____

Phone # _____

Message Phone # _____

Work Phone # 909-355-2262Is this a new address? ☐ YES ☒ NO

MARITAL STATUS: ☒ NO CHANGE ☐ CHANGE ☐ Single ☐ Married ☐ Divorced ☐ Separated ☐ Common Law

PERSONS RESIDING AT YOUR LISTED ADDRESS: ☒ NO CHANGE ☐ CHANGE

NAME	Age	Relationship	NAME	Age	Relationship
<u>Esther</u>	<u>36</u>	<u>Wife</u>	<u>Eias</u>	<u>5</u>	<u>Son</u>
<u>Elizabeth</u>	<u>14</u>	<u>Daughter</u>	<u>Abraham</u>	<u>1</u>	<u>Son</u>

EMPLOYMENT/TRAINING: ☐ NO CHANGE ☐ CHANGE

JOB TITLE	FIRM/SCHOOL	PHONE #	HOURS/WEEK	WAGES
<u>Continental</u>	<u>PALLIET</u>	<u>909-355-2262</u>	<u>30</u>	<u>8</u>

Is this a new job? ☐ YES ☒ NO

If unemployed, how are you supported? (SSI/AFDC/etc.) _____

Spouse's employment _____

HEALTH: ☒ Good ☐ Poor ☐ Complications: _____

Medication Used: none

NAME OF DRUG	STRENGTH/IMG	AMOUNT	DOCTOR	DATE

Weekend custody: How many days completed? _____ Balance _____ Date custody completed _____

Work Release Program: Date released _____ Date completed _____

Community Service: How many hours completed? _____ Balance _____

Are you attending any counseling? no

Have you been QUESTIONED, CITED, ARRESTED, JAILED or In COURT since your last report?
 Explain: (Give date, city, charges, court and court number)

Vehicles owned: (List make/year/color/license plate #)

FOR INFORMATION REGARDING FEES, FINES,
 COST OF PROBATION, OR RESTITUTION,
 CONTACT THE FINANCIAL SERVICES UNIT OF
 THE COURT AT (909) 955-2860
 P.O. BOX 828, RIVERSIDE, CA 92502

Are there any problems that your PO should know about?

Explain: no

Have you had any important changes in your financial affairs this month?

This information is true and correct to the best of my knowledge and belief.

Signature Rigoberto Hernandez RiveraDated this 1-9-08

MONTH

DAY

YEAR